



IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICHOLAS DeSIMONE, PATRICK
GARDNER, MOHAMMAD HUSSAIN,
PAUL MALSTROM, and all others similarly
situated,

Plaintiffs,

v.

TIAA BANK, FSB, f/k/a Everbank Financial
Corp.,

Defendant.

CIVIL ACTION NO 1:20-cv-6492-UA

Order

AND NOW, on this 25th day of March, 2022, upon consideration of the Parties' Joint Motion to Stay Discovery and Refer to the Parties to Mediation, it is hereby ordered:

1. The Parties are directed to attend mediation before Mediator Stephen Sonnenberg in New York City on May 2, 2022.
2. The Parties shall, on or before May 23, 2022, file a joint status report with the Court advising on the outcome of the mediation, and proposing a schedule which shall either: (a) provide deadlines for the filing of Plaintiffs' motion for preliminary and final settlement approval and related relief; or (b) provide a revised proposed discovery/litigation schedule.
3. ~~All discovery and other deadlines set forth in the Court's prior orders are hereby STAYED pending the receipt of the Parties' May 23, 2022 Status Report following mediation.~~

A formal "stay" of discovery deadlines is not required, in that the next deadline, per the current schedule, is the fact discovery close on June 20, 2022. (See Dkt. No. 184.)

SO ORDERED.

BARBARA MOSES
UNITED STATES MAGISTRATE JUDGE
MARCH 25, 2022